

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

**OA/21/1029/2012 &
MA/21/767/2017**

Dated: 09/09/2019

Between

Y.R. Ganesh,
S/o. Sri Y.R. Ganesh,
S/o. Sri Y.R. Rajanarsimlu (late),
Aged about 52 years,
Occ: Junior Works Manager,
Ordnance Factory Medak,
Yeddumailaram, Medak Dist.- 502 205,
R/o. Q.No.4005, Ordnance Factory Estate,
Yeddumailaram,
Medak Dist., Pin ó 502 205.

... Applicant

AND

1. Union of India rep. by its
Secretary, Govt. of India,
Ministry of Defence,
Dept. of Defence Production
And Supplies, South Block,
New Delhi ó 110 001.
2. The Director General & Chairman,
Ordnance Factories Board,
Govt. of India, Ministry of Defence,
10-A, SK Bose Road,
Kolkatta ó 700 001.
3. The General Manager,
Ordnance Factory,
Ministry of Defence,
Yeddumailaram,
Medak Dist, AP, PIN-502 205.

... Respondents

Counsel for the Applicant : Mr. K. Ram Murthy
Counsel for the Respondents : Mrs. K. Rajitha, Sr. CGSC.

CORAM :

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mrs. Naini Jayaseelan, Admn. Member

ORAL ORDER

(Per Hon'ble Mr. Justice L. Narasimha Reddy, Chairman)

The applicant joined the respondent organization as a Tracer on 02.09.1983. It is stated that his post was upgraded to that of Draftsman, which was later on re-designated as Chargeman/ Tech (Mech). The grievance of the applicant is that the respondents are not extending the benefit of 2nd MACP to him, though he completed 20 years of service.

2. The respondents filed a counter affidavit, opposing the O.A. They stated that the 2nd ACP is permissible only on completion of 24 years of service and the claim of the applicant for grant of the same on completion of 20 years of service is not permissible.

3. Heard Sri K. Ram Murthy, learned counsel for the applicant and Smt. K. Rajitha, learned Senior Standing Counsel appearing for the respondents.

4. It is brought to our notice that the applicant has since retired from service. The only question that arises for consideration is as to whether the applicant is entitled for the benefit of 2nd ACP/ MACP. If the ACP alone is to be considered, the second upgradation has to take place on

completion of 24 years of service. If, on the other hand, the MACP is applicable, an upgradation becomes due on completion of 10, 20 & 30 years of service. Now that, the applicant has since retired from service, the respondents need to examine the issue and pass appropriate orders.

5. We, therefore, dispose of this O.A., directing the respondents to examine whether the applicant is entitled to the benefit of MACP on completion of 20 years since the scheme has been adopted by them and ACP has merged into it, within two months from the date of receipt of this order. MA/21/767/2017 shall stand disposed of. There shall be no order as to costs.

(NAINI JAYASEELAN)
MEMBER (ADMN.)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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